



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,501	02/24/2004	Eric W. Burger	SNSH-016XX	9869
207 7590 09/10/2007 WEINGARTEN, SCHURGIN, GAGNEBIN & LBOVICI LLP TEN POST OFFICE SQUARE BOSTON, MA 02109			EXAMINER ANYA, CHARLES E	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 09/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/785,501

Applicant(s)

BURGER ET AL.

Examiner

Charles E. Anya

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/24/04.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-30, 32-43, 45-62 and 64 is/are rejected.
- 7) ☒ Claim(s) 12, 31, 44 and 63 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

WILLIAM T. BURGER
ADVISORY F
XNOLOG

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/22/04; 9/16/05; 4/30/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-64 are pending in this application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1,13,33 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 7,257,576 B2 to Eminovici in view of U.S. Pub. No. 2005/0083912 A1 to Afshar et al.**

3. As to claim 1, Eminovici teaches a method of providing user input information to a plurality of independent, concurrent applications, comprising: for each application, generating a respective subscription message and providing the subscription message to a device receiving input of a predetermined type from a user, the subscription message for each application identifying a respective pattern of user input upon whose occurrence the application is to be notified (Pattern 100 "...user defined information...user the created the pattern..." Col. 6 Ln. 51 – 67); and at the device, (1) monitoring the user input to identify the occurrence of the respective patterns identified in the subscription messages, and (2) upon the occurrence of the user input pattern identified in a given subscription message (Matching Engine 122 Col. 4 Ln. 49 – 54,

Col. 5 Ln. 53 – 67, Col. 7 Ln. 20 – 31), notifying the corresponding application (Col. 6 Ln. 60 – 67, "...provided..." Col. 7 Ln. 22 – 50).

Eminovici is silent with reference to notifying the corresponding application via a signaling channel linking the application with the device.

Afshar teaches notifying the corresponding application via a signaling channel linking the application with the device ("... signal the AS... event is detected..." page 3 paragraph 0023, page 7 paragraph 0050).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Eminovici with the teaching of Afshar because the teaching of Afshar would improve the system of Eminovici by enabling communication protocol used to transfer or convey information on the World Wide Web.

4. As to claims 13,33 and 45, see the rejection of claim 1 above.

5. Claims 1-4,6,7,10,11,13-27,30,32-36,38,39,42,43,45-59,62 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 7,257,576 B2 to Eminovici in view of U.S. Pat. No. 6,188,760 B1 to Oran et al.

6. As to claim 1, Eminovici teaches a method of providing user input information to a plurality of independent, concurrent applications, comprising: for each application, generating a respective subscription message and providing the subscription message to a device receiving input of a predetermined type from a user, the subscription message for each application identifying a respective pattern of user input upon whose

occurrence the application is to be notified (Pattern 100 "...user defined information...user the created the pattern..." Col. 6 Ln. 51 – 67); and at the device, (1) monitoring the user input to identify the occurrence of the respective patterns identified in the subscription messages, and (2) upon the occurrence of the user input pattern identified in a given subscription message (Matching Engine 122 Col. 4 Ln. 49 – 54, Col. 5 Ln. 53 – 67, Col. 7 Ln. 20 – 31), notifying the corresponding application (Col. 6 Ln. 60 – 67, "...provided..." Col. 7 Ln. 22 – 50).

Eminovici is silent with reference to notifying the corresponding application via a signaling channel linking the application with the device.

Oran teaches notifying the corresponding application via a signaling channel linking the application with the device ("...notifies the call agent..." Col. 2 Ln. 13 – 24, SGCP Link 32/Link 33/Link 34 Col. 3 Ln. 28 – 22, Col. 3 Ln. 61 – 65, Col. 4 Ln. 5 – 7, "...sent..." Col. 4 Ln. 28 – 37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Eminovici with the teaching of Oran because the teaching of Oran would improve the system of Eminovici by enabling a call agent to relay calls between a Voice over IP network using SIP and a traditional telephone network.

7. As to claim 2, Eminovici teaches a method according to claim 1, wherein the device receives the user input directly (Personal Computer 20 Col. 3 Ln. 39 – 40).

8. As to claim 3, Oran teaches a method according to claim 2, wherein the device is a telephone (Telephones 28 Col. 3 Ln. 44 – 47, Ln. 62 – 65).

9. As to claim 4, Eminovici teaches a method according to claim 3, wherein the user input received by the device comprises key presses (Input String 102 Col. 4 Ln. 49 – 58).

10. As to claim 6, Eminovici teaches a method according to claim 1, wherein the device obtains the user input from a media stream between the user and the applications (Matching Engine 122 Col. 4 Ln. 49 – 54, Col. 5 Ln. 53 – 67, Col. 7 Ln. 20 – 31).

11. As to claim 7, Eminovici teaches a method according to claim 1, wherein the user input of the predetermined type from the user comprises key presses (“...user the created the pattern...” Col. 6 Ln. 51 – 58).

12. As to claim 10, Eminovici teaches a method according to claim 1, wherein the user input is provided by a human user (Matching Engine 122 Col. 4 Ln. 49 – 54).

13. As to claim 11, Eminovici teaches a method according to claim 1, wherein the user input is provided by a computer (Matching Engine 122 Col. 4 Ln. 49 – 54).

Art Unit: 2194

14. As to claims 13,33,45, see the rejection of claim 1 above.
15. As to claims 14,34,46, see the rejection of claim 2 above.
16. As to claims 15,35,47 see the rejection of claim 3 above.
17. As to claims 16,38,48, see the rejection of claim 6 above.
18. As to claims 17,42,49, see the rejection of claim 10 above.
19. As to claims 18,43,50, see the rejection of claim 11 above.
20. As to claim 19, Eminovici teaches a method according to claim 13, wherein each pattern of input key presses is identified in a respective one of the subscription messages in the form of a respective digit regular expression ("...predefined patterns..." Col. 1 Ln. 50 – 52, Characters 102 Col. 4 Ln. 34 – 48, Pattern 100 Col. 6 Ln. 51 – 67).
21. As to claim 20, Eminovici teaches a method according to claim 19, wherein each digit regular expression includes one or more elements taken from the following classes: a specified digit, a wildcard digit, a multiple digit selector, a range of digits, and a repetition of digits ("...predefined patterns..." Col. 1 Ln. 50 – 52, Characters 102 Col. 4 Ln. 34 – 48, Pattern 100 Col. 6 Ln. 51 – 67).

22. As to claim 21, Eminovici teaches a method according to claim 19, wherein each digit regular expression optionally includes a tag to be provided back to the application as part of notifying the respective application of the occurrence of the pattern specified in the digit regular expression (Client ID 110/Data 114 Col. 6 Ln. 51 – 67).

23. As to claim 22, Eminovici teaches a method according to claim 13, wherein monitoring the key presses from the user comprises continually comparing the key presses to the patterns identified in the subscription messages (“...compared and matched...” Col. 29 Ln. 41, “...comparison...” Col. 4 Ln. 49 – 52).

24. As to claim 23, Eminovici teaches a method according to claim 22, wherein the comparing is done on a shortest-match basis (“...100b...” Col. 6 Ln. 11 – 17).

25. As to claim 24, Eminovici teaches a method according to claim 22, wherein the comparing is done on a longest-match basis (“...highest match...” Col. 6 Ln. 1 – 6).

26. As to claim 25, Eminovici teaches a method according to claim 22, wherein the comparing is done on a most-specific-match basis (“...100c...” Col. 6 Ln. 17 – 24).

Art Unit: 2194

27. As to claim 26, Oran teaches a method according to claim 13, wherein the key presses from the user are buffered within the device ("...accumulated..." Col. 3 Ln. 61 – 65, Col. 4 Ln. 27 – 30, Col. 5 Ln. 38 – 40).

28. As claim 27, although the accumulation of the Oran prior art does not explicitly teach a device according to claim 58, wherein the buffer is a circular buffer one of ordinary skill in the art would have known to implement the accumulation in a circular buffer to allow for static size and elements to not be shuffled around when a portion of the buffer is used thereby allowing only new data to be written to the buffer and the computational cost to be independent of the length of the buffer.

29. As to claim 30, Oran teaches a method according to claim 26, further comprising, within the device, quarantining key presses occurring after an application has been notified and before receiving a subsequent subscription message ("...quarantine state..." Col. 2 Ln. 25 – 29).

30. As to claims 32, 62 and 64, see the rejection of claim 30 above.

31. As to claim 36, see the rejection of claim 4 above.

32. As to claim 39, see the rejection of claim 7 above.

Art Unit: 2194

33. As to claims 51-57, see the rejection of claim 19-25 respectively.

34. As to claim 58, see the rejection of claim 26 above.

35. As to claim 59, see the rejection of claim of claim 27 above.

36. Claims 5,8,9,37,40,41 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 7,257,576 B2 to Eminovici in view of U.S. Pat. No. 6,188,760 B1 to Oran et al. as applied to claims 1 or 13 or xx above, and further in view of U.S. Pat. No. 6,819,315 B2 to Toepke et al.

37. As to claim 5, Oran and Eminovici are silent with reference to a method according to claim 3, wherein the user input received by the device comprises speech.

Toepke teaches a method according to claim 3, wherein the user input received by the device comprises speech (Microphone 34 Col. 4 Ln. 11 – 23).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Oran and Eminovici with the teaching of Toepke because the teaching of Toepke would improve the system of Oran and Eminovici by enabling speaking words to be received or recognised as user input (Col. 4 Ln. 20 – 23).

Art Unit: 2194

38. As to claim 8, Toepke teaches a method according to claim 1, wherein the user input comprises speech (Microphone 34 Col. 4 Ln. 11 – 23).

39. As to claim 9, Toepke teaches a method according to claim 1, wherein the device comprises a touch-sensitive screen and the user input comprises touches and/or strokes on the screen (Touch Screen 32 Col. 4 Ln. 11 – 23).

40. As to claims 37, 40 and 41, see the rejection of claims 5, 8 and 9 respectively.

41. **Claims 28, 29, 60 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 7,257,576 B2 to Eminovici in view of U.S. Pat. No. 6,188,760 B1 to Oran et al. as applied to claims 26 or 58 above, and further in view of Network Working Group to A.B Roach (pages 1-37).**

42. As to claim 28, Oran and Eminovici silent with reference to a method according to claim 26, wherein the key presses are discarded from a buffer after a fixed time period.

Roach teaches a method according to claim 26, wherein the key presses are discarded from a buffer after a fixed time period (Refreshing of Subscriptions Sections 3.1.4.2/3.1.6.4, pages 7/11, "...timeout..." page 17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Oran and Eminovici with the teaching of

Art Unit: 2194

Roach because the teaching of Roach would improve the system Oran and Eminovici by allowing for re-subscription of event notification.

43. As to claim 29, Roach teaches a method according to claim 26, wherein the key presses are discarded from a buffer after a variable time period (Refreshing of Subscriptions Sections 3.1.4.2/3.1.6.4, pages 7/11, "...timeout..." page 17).

44. As to claims 60 and 61, see the rejection of claims 28 and 29 respectively.

Allowable Subject Matter

Claims 12,31,44 and 63 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is 571-272-3757. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2194

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cea.


WILLIAM THOMSON
SUPERVISOR OF PATENT EXAMINER
TECHNICAL CENTER 2100